IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF TEXAS

MIDLAND-ODESSA DIVISION
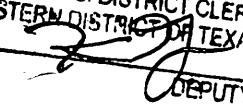
FILED

MAR 24 2025

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WESTERN DISTRICT OF TEXAS
BY_____
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Date: March 22, 2025

JENNIFER VETRANO, Plaintiff,

v.

PHILIPPE MORALI, Defendant.

Case No.: 7:24-cv-00325-DC-RCG

PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR STAY DUE TO BANKRUPTCY

Plaintiff opposes Defendant's request for a stay due to bankruptcy proceedings involving Meta Materials Inc. ("Meta Materials"):

I. CLAIMS ARE INDIVIDUAL, NOT DERIVATIVE

The Defendant incorrectly characterizes Plaintiff's claims as derivative, suggesting they belong exclusively to the Meta Materials bankruptcy estate. Plaintiff asserts personal, non-derivative claims based on breaches of fiduciary duty and individual harm distinct from corporate claims.

II. INDIVIDUAL CLAIMS ARE NOT SUBJECT TO AUTOMATIC STAY

The automatic stay provision under 11 U.S.C. § 362 applies only to actions against the debtor. Plaintiff's claims target Defendant personally for his own wrongful conduct, not Meta Materials. Bankruptcy proceedings involving Meta Materials do not legally impede Plaintiff's pursuit of claims against Defendant individually.

III. DEFENDANT'S LIABILITY IS PERSONAL AND SEPARATE

The relief sought is personal accountability for Defendant's actions, independent from any claims addressed in the bankruptcy case. The outcome in bankruptcy does not affect Defendant's individual liability for fiduciary breaches and misrepresentations made personally and directly affecting Plaintiff.
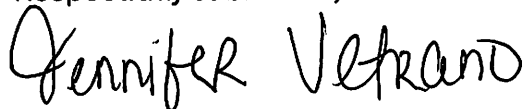
IV. PUBLIC POLICY AND JUDICIAL EFFICIENCY

Allowing a stay inappropriately shields Defendant from individual accountability and contravenes the interests of justice and judicial efficiency. Plaintiff's claims should proceed to resolution without delay caused by unrelated bankruptcy proceedings.

V. CONCLUSION

Plaintiff respectfully requests the Court deny Defendant's Motion for Stay due to Bankruptcy, permitting this matter to proceed independently of any unrelated corporate bankruptcy issues.

Respectfully submitted,

Jennifer Vetrano, Pro Se

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West Creek, NJ 08092

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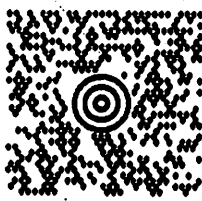   DEPUTY CLERK

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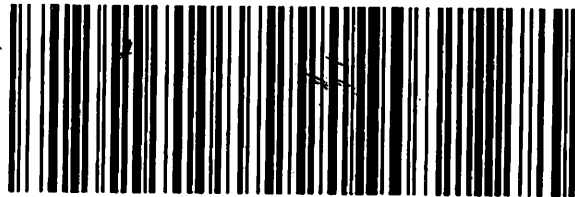
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